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November 27, 2019

Via ECF

The Honorable Nelson S. Román
United States District Court
For the Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: Dicarlo v. Rite Aid of New York, Inc., No. 7:19-cv-6565
Request to Extend Rite Aid's Time to Respond to Complaint

Dear Judge Román:

We represent defendant Rite Aid of New York, Inc. ("Rite Aid") in the above-referenced action. Pursuant to Rule 1(E) of Your Honor's Individual Practices, we write with the consent of counsel for plaintiff David Dicarlo ("Plaintiff"), respectfully to request that the Court extend Rite Aid's time to respond to the Complaint from November 28, 2019 to December 18, 2020. Pursuant to an agreement between Rite Aid and Plaintiff's counsel before undersigned counsel was engaged in this matter, the parties previously agreed to extend Rite Aid's time from November 1, 2019 to November 28, 2019. No other requests for extension have been sought or granted.

In support of this request, counsel for Rite Aid states that it recently has been engaged in this matter and needs time to become familiar with the relevant facts and allegations. As noted above, Plaintiff's counsel consents to this request. If granted, this extension will not affect any other date scheduled in this action.

We thank the Court in advance for its consideration of this request.

Respectfully submitted,

/s/ Michael F. Fleming

Michael F. Fleming

Attorney for Rite Aid

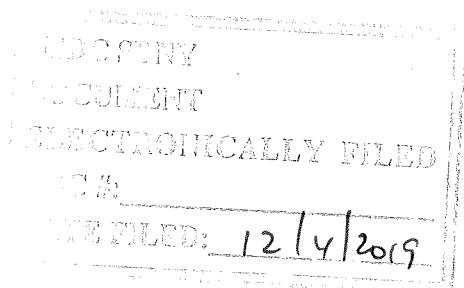
cc: All Counsel of Record (via ECF)

Defendant granted an extension of time until Dec. 18, 2019 to respond to the Complaint. Clerk of the Court requested to terminate the motion (doc. 9).

Dated: Dec. 4, 2019

SO ORDERED:

HON. NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE



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